UNITED STATES DISTRICT COURT FOR THE DISTRICT OF PUERTO RICO

UNITED STATES OF AMERICA, Plaintiff, v. [1] RAMON ANTONIO DEL ROSARIO-PUENTE, aka "Toño Leña," aka "El Maestro," aka "El Charly," aka "El Palo," aka "El Bate," aka "El Tronco," aka "Muelú," aka "El Frances," Defendant.	CRIMINAL NO. 10-219 (JAG) VIOLATIONS: Title 21, United States Code, Sections 841, 846, 952, 959, 960 & 963 (THREE COUNTS) (FORFEITURE ALLEGATION)

2010 JUN 16 PM 1:40

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INDICTMENT

THE GRAND JURY CHARGES:

GENERAL ALLEGATIONS

At all times material to this Indictment:

1. **[1] RAMON ANTONIO DEL ROSARIO-PUENTE, aka "Toño Leña," aka "El Maestro," aka "El Charly," aka "El Palo," aka "El Bate," aka "El Tronco," aka "Muelú," aka "El Frances,"** was the organizer and coordinator of large shipments of cocaine and heroin that were first transported from South America to the Dominican Republic.

2. Upon receipt of the shipments of cocaine and heroin in the Dominican Republic, **DEL ROSARIO-PUENTE** and his co-conspirators (not indicted herein) would further transport the cocaine and heroin to Puerto Rico and the Continental United States.

OBJECT OF THE CHARGED CONSPIRACIES

The object of the charged conspiracies was to transport narcotics from South America to the Dominican Republic, Puerto Rico, and the Continental United States, all for significant financial gain and profit.

MANNER AND MEANS OF THE CHARGED CONSPIRACIES

The manner and means by which the defendant and his co-conspirators would accomplish and further the object of the conspiracies, among others, included the following:

1. It was a part of the manner and means of the conspiracies that the defendant and his co-conspirators would use small private airplanes to transport cocaine and heroin from South America to the Dominican Republic. Upon arrival at pre-determined locations in the Dominican Republic, co-conspirators under the defendant's direction dropped bales containing cocaine and heroin from the airplanes, while other members of the drug trafficking organization retrieved the narcotics on land for further distribution and transportation.

2. It was further a part of the manner and means of the conspiracies that the defendant and his co-conspirators would utilize motor vessels in order to transport additional cocaine and heroin from South America to the Dominican Republic.

3. It was further a part of the manner and means of the conspiracies that the defendant and his co-conspirators would possess weapons and use deadly force against law enforcement authorities that attempted to thwart their drug trafficking operations.

4. It was further a part of the manner and means of the conspiracies that the defendant and his co-conspirators would kidnap and torture rival drug traffickers and/or individuals believed to have betrayed the drug trafficking organization.

5. It was further a part of the manner and means of the conspiracies that the defendant

and his co-conspirators would obtain intelligence and assistance from corrupt law enforcement officials in order to further their drug trafficking activities.

6. It was further a part of the manner and means of the conspiracies that the defendant and his co-conspirators would utilize motor vessels, and motor vehicles transported by ferry, in order to transport the cocaine and heroin into Puerto Rico from the Dominican Republic.

7. It was further a part of the manner and means of the conspiracies that the defendant organized, coordinated and directed his co-conspirator's illegal activities while in the Dominican Republic and from South American countries through the use of cellular telephones.

The United States hereby incorporates by reference the above object of the charged conspiracies and manners and means and re-alleges them in each Count of this Indictment.

COUNT ONE

From in or about the year 2000 to the present, in South America, the Dominican Republic, and elsewhere within the jurisdiction of this Court,

[1] RAMON ANTONIO DEL ROSARIO-PUENTE,
aka "Toño Leña,"
aka "El Maestro,"
aka "El Charly,"
aka "El Palo,"
aka "El Bate,"
aka "El Tronco,"
aka "Muelú,"
aka "El Frances,"

the defendant herein did knowingly and intentionally combine, conspire, and agree with diverse other persons known and unknown to the Grand Jury, to commit an offense against the United States, that is: to distribute five **(5) kilograms** or more of a mixture or substance containing a detectable amount of **cocaine**, a Schedule II, Narcotic Drug Controlled Substance and one **(1) kilogram** or more of a mixture or substance containing a detectable amount of **heroin**, a Schedule I, Narcotic Drug Controlled Substance, intending and knowing that such substances would be unlawfully imported into the United States and into waters within a distance of 12 miles of the coast of the United States. All in violation of Title 21, United States Code, Sections 963, 959(a) and 960(a).

COUNT TWO

From in or about the year 2000 to the present, in South America, the Dominican Republic, the District of Puerto Rico and elsewhere within the jurisdiction of this Court,

[1] RAMON ANTONIO DEL ROSARIO-PUENTE,
aka "Toño Leña,"
aka "El Maestro,"
aka "El Charly,"
aka "El Palo,"
aka "El Bate,"
aka "El Tronco,"
aka "Muelú,"
aka "El Frances,"

the defendant herein did knowingly and intentionally combine, conspire, and agree with diverse other persons known and unknown to the Grand Jury to commit an offense against the United States, that is: to import into the United States from a place outside thereof, five **(5) kilograms** or more of a mixture or substance containing a detectable amount of **cocaine**, a Schedule II, Narcotic Drug Controlled Substance and one **(1) kilogram** or more of a mixture or substance containing a detectable amount of **heroin**, a Schedule I, Narcotic Drug Controlled Substance. All in violation of Title 21, United States Code, Sections 963, 952(a) and 960.

COUNT THREE

From in or about the year 2000 to the present, in South America, the Dominican Republic, the District of Puerto Rico and elsewhere within the jurisdiction of this Court,

[1] RAMON ANTONIO DEL ROSARIO-PUENTE,
aka "Toño Leña,"
aka "El Maestro,"
aka "El Charly,"
aka "El Palo,"
aka "El Bate,"
aka "El Tronco,"
aka "Muelú,"
aka "El Frances,"

the defendant herein did knowingly and intentionally combine, conspire, and agree with diverse other persons known and unknown to the Grand Jury, to commit an offense against the United States, that is: to possess with intent to distribute five **(5) kilograms** or more of a mixture or substance containing a detectable amount of **cocaine**, a Schedule II, Narcotic Drug Controlled Substance and one **(1) kilogram** or more of a mixture or substance containing a detectable amount of **heroin**, a Schedule I, Narcotic Drug Controlled Substance. All in violation of Title 21, United States Code, Sections 846 and 841(a)(1).

DRUG FORFEITURE ALLEGATION

As a result of committing the controlled substance offenses alleged in Counts ONE through THREE of this Indictment, defendant **[1] RAMON ANTONIO DEL ROSARIO-PUENTE,** shall forfeit to the United States, pursuant to Title 21, United States Code, Sections 970, 853 and 881, any and all property constituting and derived from any proceeds that the defendant obtained directly and indirectly as a result of said violations and any and all property used and intended to be used in any matter or part to commit and to facilitate the commission of the violations alleged in Counts ONE through THREE of this Indictment, including but not limited to, a sum of money representing the amount of proceeds obtained as a result of the offense described in Count ONE through THREE of this Indictment.

Substitute Assets Provision

If any of the property described above as being subject to forfeiture, as a result of any act or omission of the defendant:

a) cannot be located upon the exercise of due diligence;

b) has been transferred or sold to, or deposited with, a third party;

c) has been placed beyond the jurisdiction of the Court;

d) has been substantially diminished in value; or

e) has been commingled with other property which cannot be divided without difficulty;

it is the intention of the United States, pursuant to Title 21, United States Code, Sections 970 and 853(p), to seek forfeiture of any other property of the defendant up to the value of the forfeitable property. All in accordance with Title 21, United States Code. Sections 970, 853 and 881.

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Date: June 16, 2010